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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,243	10/20/2003	Michael Frederick Kenrich	2222.5460000	3428

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EXAMINER
HOMAYOUNMEHR, FARID

ART UNIT	PAPER NUMBER
2132	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 October 2007</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-36</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/29/07</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: application, filed 10/20/2003;

amendment filed 10/16/2007.

2.   Claims 1-36 are pending in the case. Claims 1-33 were amended. Claims 34-36

are new.

Information Disclosure Statement

3.   Information disclosure statements submitted by applicant dated 10/29/2007 were

considered. Please see attachment PTO-1449.

Response to Arguments

4.   Applicant's amendments have created new grounds for rejection, reflected in the

next section. Rejection under section 101 is withdrawn due to amendments.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 4, 15 and 30 rejected under 35 U.S.C. 103(a) as being unpatentable over Kleckner and further in view of Morinville (US Patent Application Publication No. 2002/0062240, published May 23, 2002).

6.1.   As per claims 1, 15 and 30, Kleckner is directed to a method for approving a security change (parag. 127 to 132) for a file security system that secures electronic files (per abstract, Kleckner provides a system that uses digital signatures to validate an amendment to a financial transaction. Parag. 135 shows that the transactions are performed using records (files) that are secured using digital signatures.), said method comprising: receiving a requested security change from a requestor (parag. 131, where the new policy is communicated to a second security officer); identifying a plurality of approvers to approve or disapprove of the requested security change (the second security officer who verifies the change. Note that per parag. 131, at least one officer is required to review, therefore suggesting a plurality of reviewers.) by accessing an approver set in an approval manager module (Kleckner teaches identifying approvers, but it does not explicitly teach an approval manager module that identifies the approvers. Morinville teaches a Build process (paragraph 0087 and Fig. 9) where the request for approval is built and the list of approvers is identified. Kleckner and Morinville are analogous art, as they are both directed to the process of obtaining

approvals for change in a process. At the time of invention, it would have been obvious to the one skilled in art to include the process of approver identification as taught by Morinville, in Kleckner's system. The motivation to do so would have been to facilitate the creation of the approval process in Kleckner's system by using a system that allows creation of detailed and flexible approval process.); notifying the approvers of an approval request for the requested security change (Kleckner parag. 131 as discussed above); determining whether the requested security change is approved based on responses from the approvers to the approval request (parag. 131 where the second security officer signs and stores the new policy in the database); and performing the requested security change when said determining determines that the requested security change has been approved (parag. 132).

6.2.   With regards to claim 4, Kleckner and Morinville are directed to a method as recited in claim 1, wherein no one of the plurality of approvers can individually approve the requested security change (Kleckner parag. 130).

7.   Claims 2, 3, 5-14, 16-29, and 31-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kleckner and Morinville as applied to claims 1, 4, 15 and 30 above, and further in view of Gune et al. (US Patent No. 7,131,071, filed March 29, 2002).

8.   With regards to claims 2, 3, 5-14, Kleckner is directed to the method of claim 1

and teaches an approval process to control changes to security policies. However,

Kleckner does not discuss all the additional details related to the approval process as

required by the dependent claims.

Kleckner, however, does require establishment of an approval process to perform trade

approval, as well as an approval process to make changes to security policies.

Therefore, a system capable of creating a detailed approval process would improve the

system taught by Kleckner because it facilitates creation of the approval process

required in Kleckner, and also makes creation of the approval process more flexible and

efficient.

Gune's invention is directed to a facility for defining an approval process (abstract) for

approving different types of requests. Gune's system allows defining the details of

elements of the approval process. At the time of invention, it would have been obvious

for a person skilled in art to integrate Gune's facility, which allows detailed and flexible

creation of an approval process (see for example col. 2 line 53 to col. 3 line 40), in the

system of Kleckner to allow creation of a detailed approval process. As mentioned

above, the motivation to do so would have been to facilitate the creation of the approval

process in Kleckner's system by using a system that allows creation of detailed and

flexible approval process.

The combined system of Kleckner and Gune is directed to limitations of the claims as follows:

8.1.   With regards to claims 2 and 3, transmission of notification to the approvers, and reception of their response using email is suggested by Kleckner col. 1, lines 25 to 37.

8.2.   With regards to claim 5, Gune teaches arrangement of approvers in sets in col. 11 lines 18-25.

8.3.   With regards to claim 6, Kleckner col. 9 lines 12 to 51 describes the AND approval process element, which requires two or more paths (approval process elements) to be approved independently so the overall process could be approved. Moreover, Fig. 21 describes an example showing each element (which could be a group, as discussed in rejection of claim 5) required to be approved independently for the entire process to be approved. Therefore, Gune teaches approval determining requiring approval from more than one plurality of groups.

8.4.   As per claim 7, Gune col. 1 lines 36 to 44 shows a hierarchical approval process, which progression to a next level of hierarchy requires approval from the current level.

8.5.   With regards to claim 8, the security officers of Kleckner are users of the security system as they use the system to secure the transactions.

8.6.   With regards to claim 9, Gune col. 13, lines 33 to 43 indicates that subset of each

element, which includes the group element could be used to define the approval

process. Therefore, Gune teaches an approval process wherein a subset of set of

approvers can approve the request.

8.7.   With regards to claim 10, Gune col. 12 lines 3 to 12 describes creating an

approval process relative to the type of request. Therefore, Gune teaches an approval

process wherein the selected elements (approvers) are dependent on the type of

request.

8.8.   With regards to claim 11, Gune col. 10, lines 30-35 teaches selecting an

approver based on its position relative to the creator of the request. Therefore Gune

teaches and approval process wherein the approvers are identified depending on the

requestor.

8.9.   With regards to claims 12 and 13, Gune col. 3, lines 19-27 teach simultaneous

and concurrent notification of approvers.

8.10.   With regards to claim 14, Kleckner teaches a system for securing trade records,

which are electronic documents.

8.11.   The limitations of claim 15 are substantially similar to limitation of claim 1.

8.12.   With regards to claim 16, Kleckner teaches the importance of separation of

duties, and also teaches the security policy changes approval by a security officer and

not the administrator. Therefore, Kleckner teaches an approval manager who changes

approval process without any interaction form administrator(s).

8.13.   With regards to claim 19, use of digital signatures to authenticate the sender of

an email message was well-known to a person skilled in art at the time of invention.

8.14.   With regards to claim 29, a key store connected to the system that uses digital

signatures is inherent to systems using digital signature because keys are integral parts

of digital signatures.

8.15.   The limitations of claims 17, 18, 20-28 and 31-33 are substantially the same as

limitations of claims 1-14, 16, 19 and 29 as discussed above.

8.16.   The limitations of claims 34-37 are substantially the same as limitations of claims

1-14, 16, 19 and 29 as discussed above, with the added limitation that if there is no

approval required, the request is granted without the need to obtain approvals. This

limitation is taught by Morinville paragraphs 77 or 86.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Farid Homayounmehr whose telephone number is (571)

272-3937. The examiner can be normally reached on 9 hrs Mon-Fri, off Monday

biweekly.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.
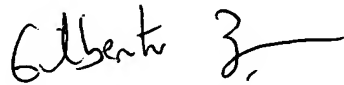
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have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Farid Homayounmehr

1/2/2008

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